IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Regular Second Appeal No.3765 of 2006

Date of Decision: September 18, 2007

Sukhdev Singh .....Appellant

Versus

Union of India and others .....Respondents

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Pradeep Rajput, Advocate for the petitioner.

S. D. ANAND, J.

1. The learned Trial Court and also the learned First Appellate Court upheld the validity of the impugned punishment of dismissal of the plaintiff-appellant from service on a charge of absence from duty. The plaintiff-appellant is a CRPF official.

2. The plaintiff-appellant relies upon Parimal Singh Versus Union of India, 2001(4) SCT 242 in support of his plea that the dismissal order is inappropriate and a punishment of reduction in rank or imposition of fine not exceeding one month's pay could have been sufficient in view of the fact that the appellant had also been sentenced by the criminal Court for his absence from duty.

3. It may be noticed that the appellant had been convicted by a Court of competent jurisdiction and was directed to undergo imprisonment till the rising of the Court. Obviously, the appellant was let off with a very diluted form of punishment. The fact of appellant having undergone

imprisonment till the rising of the Court would not enable him to argue in favour of any dilution on point of minimum punishment.

4. The Single Bench ruling rendered by Delhi High Court in Parimal Singh's case (supra) was based upon its own facts and circumstances. By the very nature of things, absence from duty of an official, for howsoever little period, deserves the frown of the law. The members of disciplined force must exhibit a greater sense of duty.

5. No question of law, much less substantial in character, arises for determination of this Court. The concurrence of view of learned Trial Court and the learned First Appellate Court is affirmed.

6. Dismissed.

(S. D. ANAND)
JUDGE

September 18, 2007
SRM

Note: Whether referred to reporter or not? Yes/No